

Customer Number: 000959

DIVISIONAL CONTINUATION APPLICATION TRANSMITTAL FORM

UNDER RULE 1.53(b) (former Rule 1.60)

JC777 U.S. PTO
04/03/00

| | | | |
|---------------|---|--|--|
| DOCKET NUMBER | ANTICIPATED CLASSIFICATION OF THIS APPLICATION: | PRIOR APPLICATION SERIAL NUMBER: 08 456.864 | PRIOR APPLICATION FILING DATE: 6 1 95 |
| UIZ-003DVCN | CLASS: | SUBCLASS: | EXAMINER: P. BASKAR ART UNIT: 1641 |

ASSISTANT COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
WASHINGTON, DC 20231

JC530 U.S. PTO
09/541873
04/03/00

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: April 3, 2000Mailing Label Number: EL 263 574 916 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Viriato G. Cardoso
Name of Person Mailing Paper

[Signature]
Signature of Person Mailing Paper

Dear Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b), of pending prior application serial no. 08 456.864 filed on March 17, 1999, of Pearson et al. entitled AUTOINDUCER MOLECULE which in turn is a continued prosecution application of serial no. 08 456.864 filed on June 1, 1995, now abandoned, which in turn is a divisional application of serial no. 08 104.487 filed on August 9, 1993 and issued as U.S. Patent 5,591,872.

1. ☒ Enclosed is a copy of the latest inventor signed application, including the oath or declaration as originally filed. The copy of the enclosed papers is as follows:

- ☒ 26 page(s) of specification
- ☒ 6 page(s) of claims
- ☒ 1 page(s) of abstract
- ☒ 4 sheet(s) of informal drawings
- ☒ 24 page(s) of executed declaration and power of attorney.

I hereby verify that the attached papers are a true copy of the prior complete application serial no. 08 456.864 as originally filed on June 1, 1995.

2. ☒ 3 verified statements to establish small entity status under 37 CFR 1.9 and 1.27, copies of which are enclosed, were filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).
3. ☒ The filing fee is calculated below:

| | NUMBER OF CLAIMS FILED | | | NUMBER EXTRA |
|--|------------------------|-------|-------|--------------|
| TOTAL | 1 | MINUS | ** 20 | 0 |
| INDEP | 1 | MINUS | *** 3 | 0 |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS | | | | |

| SMALL ENTITY | |
|--------------|----------|
| RATE | FEF |
| x 0 | \$0.00 |
| x 30 | \$0.00 |
| x 130 | \$0.00 |
| BASIC FEE | \$345.00 |
| TOTAL | \$345.00 |

| OTHER THAN A SMALL ENTITY | |
|---------------------------|--------|
| RATE | FEF |
| x 18 | \$0.00 |
| x 78 | \$0.00 |
| x 260 | \$0.00 |
| BASIC FEE | \$0.00 |
| TOTAL | \$0.00 |

OR

OR

4. ☐ The Commissioner hereby authorized to charge any additional fee which may be required in connection with this communication, or credit any overpayment, to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.

5. ☒ **The filing fee is not being paid at this time.**

6. ☒ Cancel in this application original claims 2-43 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

7. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application.)

8. ☒ Amend the specification by inserting before the first line the sentences: "This application is a continuation application of serial no. 08 456.864 filed on 3 17 99, pending, which in turn is a continued prosecution application of 08 456.864 filed on 6 1 95, now abandoned, which in turn is a divisional application of serial no. 08 104.487 filed on August 9, 1993 and issued as U.S. Patent 5,591,872. The contents of all of the aforementioned application(s) are hereby incorporated by reference."

9. ☐ Please abandon said prior application as of the filing date accorded this application. A duplicate copy of this transmittal is enclosed for filing in the prior application file. (May be used if signed by person authorized by §1.138 and before payment of base issue fee.)

10. ☒ Copy of formal drawings from parent application is enclosed (2 pages).

11. ☐ Priority of application serial no. _____ filed on _____ in _____ is claimed under 35 U.S.C. §119.

- ☐ The certified copy has been filed in prior application serial no. _____ filed on _____.

- ☐ The certified copy will follow.

12. ☒ The prior application is assigned of record to the University of Iowa, the University of Rochester and Ithaca College.

13. ☐ A _____ month extension of time has been submitted in the parent application Serial No. _____ in order to establish copendency with the present application.

14. ☒ Also enclosed is an executed Associate Power of Attorney.

15. ☐ The power of attorney in the prior application is to Lahive & Cockfield, LLP.

- a. ☒ The power appears in the original papers in the prior application, copies attached.

- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

- c. ☐ A new power has been executed and is attached.

16. ☒ Address all future communications (May only be completed by applicant, or attorney or agent of record) to Elizabeth A. Hanley, Esq. at **Customer Number: 000959** whose address is:

Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109

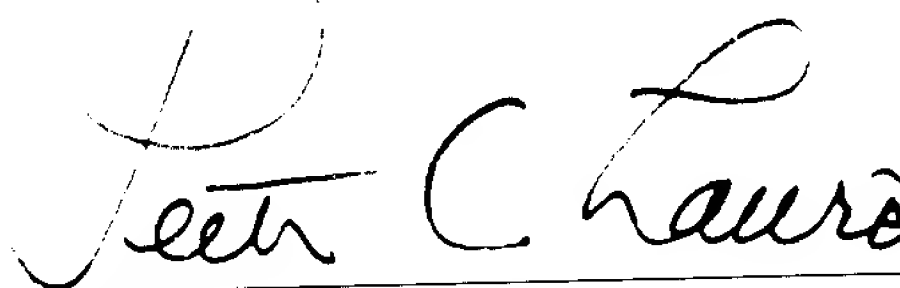
17. ☒ Any requests for extensions of time necessary in a parent application for establishing copendency between this application and a parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. 12-0080.

18. ☐ Pursuant to 37 CFR 1.821(e), the computer readable form of the sequence listing for this new application is to be identical with the computer readable form of application serial no. _____ . Please use the computer readable form of application serial no. _____ in lieu of filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing for this new application and the computer readable form of application serial no. _____ are the same.

April 3, 2000

Date

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
Tel. (617) 227-7400



Peter C. Lauro, Esq.

Reg. No. 32,360

- ☐ inventor(s) ☐ filed under §1.34(a)
☐ assignee of complete interest
☒ attorney or agent of record